

## **REMARKS**

### **Status of the Claims**

Claims 1, 9, and 17 – Currently Amended

Claim 2-8, 10-14, 16, and 18-22 – Original

Claim 15 – Previously Presented

### **Allowable Subject Matter**

The Examiner has indicated that claims 15, 16 and 19 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. Applicant appreciates the Examiner's indication of allowable subject matter.

### **Comments under 35 U.S.C. § 103**

The Examiner has rejected claims 1, 3-5, 9-10, and 12-13 under 35 U.S.C. § 103(a) as being unpatentable over Hiroi (official translation of JP 10234016) in view of Agraharam (U.S. Pat. 6,412,011). The Examiner has rejected claims 6, 7, and 11 under 35 U.S.C. § 103(a) as being unpatentable over Hiroi in view of Agraharam, and further in view of Kim (U.S. Pat. 5,457,542). The Examiner has rejected claims 2, 8, and 14 under 35 U.S.C. § 103(a) as being unpatentable over Hiroi in view of Agraharam, and further in view of Kirkland (U.S. Pat. 5,677,739). The Examiner has rejected claims 17 and 21 under U.S. 35 U.S.C. § 103(a) as being unpatentable over Hiroi in view of Agraharam, and further in view of Bourbonnais (U.S. Pat. 6,338,033). The Examiner

has rejected claims 18, 20, and 22 under 35 U.S.C. § 103(a) as unpatentable over Hiroi in view of Agraharam and further in view of Bourbonnais and Kirkland.

Applicant has amended independent claims 1, 9, and 17 to indicate clearly that the present invention translates closed captions in a broadcast signal by extracting closed captioning data from a broadcast signal, translating the text of the closed captioning data, inserting the translated closed caption codes in the broadcast signal, and transmitting the broadcast signal with the translated closed caption codes to a destination program for broadcast to all viewers. All viewers receive the translated closed caption data. Viewers who elect to view the closed caption data on their television sets see the translated closed caption data. In view of Applicant's amended claims, Applicant respectfully traverses the rejections.

Applicant respectfully submits that the Hiroi and Agraharam references relied upon by the Examiner to reject independent claims 1, 9, and 17 cannot support the rejection of Applicant's amended independent claims, and therefore, cannot alone or in combination with other references support the rejection of dependent claims 2-9, 10-16, and 18-22 which depend from claims 1, 9, and 17 respectively. It is the Applicant's position the combination of the Hiroi and Agraharam references has deficiencies not addressed by the Examiner and therefore, the references cannot support the present rejections.

It is the Examiner's position

Applicant respectfully submits the combination of Hiroi and Agraharam results in a system and method for providing translated content to subscribers of service that explicitly request such content. The resulting system and method require additional

equipment and resources to determine which subscribers would like to receive the translated content and to ensure that the translated content is directed to the appropriate subscribers. Applicant respectfully submits that amended claims 1, 9, and 17 distinguish the present invention over the combination of Hiroi and Agraharam's by indicating that translated closed caption codes are broadcast to all viewers of a program and that viewing of the translated closed caption codes is controlled by the viewers using their television sets. Applicant further respectfully submits that because the Hiroi and Agraharam references cannot support the rejections of claims 1, 9, and 17, they cannot be combined with the Kim, Kirkland, or Bourbonnais references to support the rejections of the dependent claims.

Conclusion

The present invention provides significant benefits to broadcasters as well as programming viewers. The translations are provided automatically and continuously on broadcast data at the broadcast source. The ability for broadcasters to offer translated programming is increased significantly. In addition, the programming options available to viewers that are unlikely to view a program in its source language are increased. Applicant respectfully submits that the present application is now in condition for allowance and such action is earnestly requested.

Respectfully submitted,

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